

Please type a plus sign (+) inside this box

+

05-93-53

1642

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <small>Use for all correspondence after initial filing)</small>	Application Number	09/782,816	
	Filing Date	February 14, 2001	
	First Named Inventor	DAVID J. SHARP	
	Group/Art Unit	1642	
	Examiner Name	YAEN, CHRISTOPHER H.	
Total Number of Pages in This Submission	10	Attorney Docket Number	39754-0691 A

**RECEIVED**  
MAY 28 2003  
TECH CENTER 1600/2900

**ENCLOSURES (check all that apply)**

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> <b>SUPPLEMENTAL AMENDMENT / RESPONSE TO RESTRICTION REQUIREMENT</b><br><input type="checkbox"/> After Final<br><input type="checkbox"/> Version With Markings Showing Changes<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53<br><input type="checkbox"/> Copy of Notice | <input type="checkbox"/> Copy of an Assignment<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Additional Enclosure(s) (please identify below):<br><input checked="" type="checkbox"/> <b>STAMPED RETURN POSTCARD</b> |
|--|---|---|

Remarks

**AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39754-0691 A**

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual name	HELLER EHRMAN WHITE & McAULIFFE LLP	GINGER R. DREGER (Reg. No. 33,055)
	275 Middlefield Road, Menlo Park, California 94025	Telephone: (650) 324-7000 Facsimile: (650) 324-0638
Signature		
Date	May 21, 2003	Customer Number: 25213

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: **MAIL STOP NON-FEE AMENDMENT**, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: **May 21, 2003**

Express Mail Label **EV 346 728 031 US**

Typed or printed name	C. FONG		
Signature		Date	May 21, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



Amend 5 / #16  
5.29.03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David J. SHARP, et al.

Application Serial No. 09/782,816

Filed: February 14, 2001

For: **PEPTIDE INHIBITORS OF  
CELLULAR PROLIFERATION**

Art Unit: 1642

Examiner: Yaen, Christopher H.

Attorney's Docket No: 39754-0691 A

EXPRESS MAIL LABEL NO. EV 346 728 031 US  
Date Mailed: May 21, 2003

**SUPPLEMENTAL AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT**

**Mail Stop Non-Fee Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RECEIVED**  
MAY 28 2003

**TECH CENTER 1600/2900**

Dear Sir:

The present paper is a resubmission of an Amendment and Response to Restriction Requirement filed 4/22/03 in the above-identified case. This resubmission is in response to a Notice of Non-Compliant Amendment mailed May 1, 2003 requiring a complete listing of all the pending claims. Canceled claims 23-27 were not listed in the listing of the claims in the original submission. The present Supplemental Amendment and Response to Restriction Requirement includes the statement "23-27. (Cancelled)" on page 4, line 16, and is accordingly believed to be in compliance with the voluntary revised amendment practice guidelines.

The present communication is responsive to the Office Action mailed on November 18, 2002 (Paper No. 12). That Office Action set a shortened statutory period for reply of three months. This response was timely filed with a Petition for Extension of time for two months with fees when originally filed and received in the United States Patent and Trademark Office on April 22, 2003. The present Supplemental Amendment and Response to Restriction Requirement is filed within the time period of one month set by the Notice of Non-Compliant Amendment and so is timely filed.

The present communication satisfies the Examiner's Requirement for Restriction.